

Notice of Allowability

Application No.

10/039,049

Examiner

A Elamin

Applicant(s)

FRYE, JAMES F.

Art Unit

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 1/17/2006.
2. ☒ The allowed claim(s) is/are 1-13, 16-28, 39-48 and 50-57.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dan C. Hu (*Reg. #40,025*) on March 30, 2006.

2. The application has been amended as follows:

3. **IN THE SPECIFICATION**

Please delete paragraph [0001] and replace it with the following paragraph:

--[0001] This application is related to U.S. application Ser. No. 09/967,615, entitled "PXE Server Appliance," by James F. Frye, Jr., filed on Sep. 29, 2001, now abandoned, which is incorporated herein in its entirety for reference.--

4. **IN THE CLAIMS:**

Please cancel claims 49 and 58.

Please amend the following claims:

47. An article comprising a storage containing software that when executed causes an embedded operating system (OS) based computer to:

receive a request from a target server for remote booting of the target server; and
in response to the request, send a program and address information of a boot server to the target server, wherein the boot server is separate from the embedded operating system (OS) based computer,

wherein the program when executed causes the target server to issue a boot server request to the boot server for a boot image to download to the target server, the boot image containing code to install at least one of an operating system and application software on the target server.

48. The article of claim 47, wherein the software when executed causes the embedded operating system (OS) based computer to further:

receive the boot server request; and

in response to the boot server request, issue a Trivial File Transfer Protocol (TFTP) request to the boot server for the boot image.

50. The article of claim 47, wherein the embedded operating system (OS) based computer comprises a handheld computer.

51. The article of claim 47, wherein the embedded operating system (OS) based computer receives the request from the target server by wireless communications.

53. A computer comprising:

a processor;

an embedded operating system (OS) executable on the processor;

software executable on the processor to:

- receive a request from a target server; and
- in response to the request, send information to the target server to direct the target server to a boot server separate from the computer for downloading a boot image from the boot server to the target server for remote booting of the target server,
- wherein the information sent to the target server comprises a netboot program and an address of the boot server,
- wherein the computer is a reduced-capability computer having less capability than a server computer.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

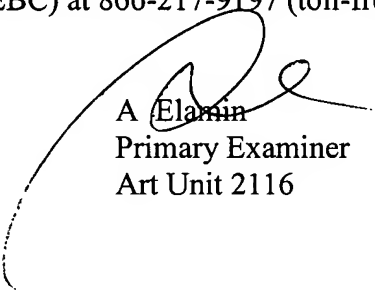
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to A Elamin whose telephone number is (571) 272-3674. The examiner can normally be reached on MON-FRI 9:30 AM - 6:00 PM.

Art Unit: 2116

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (571) 272-3670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



A. Elamin
Primary Examiner
Art Unit 2116

March 30, 2006